IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 23991 of 2004

Between:

1 Anna Udayabhaskar S/o.Anna Kotaiah
R/o.H.No.22-6-29, Tunuguntlavari Street, Lalapet, Guntur.
2 Smt.Anna Sudha Rani W/o. Anna Udayabhaskar,
R/o.H.No.22-6-29, Tunuguntlavari Street, Lalapet, Guntur.

..... PETITIONER(S)

AND

1 The Zonal Manager, Andhra Bank, Koritapadu, Zonal Oflfice, Guntur.
2 The Branch Manager, Andhra Bank, Kothapet Branch, Guntur, rep.

by its Manager.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the possession notice issued by respondent No.1 dated 6-12-2004 under Section 13 (4) of Securitisation Act 2002 as illegal, arbitrary, unconstitutional and contrary to the provisions of the Act 2 of 2002 and consequently declare the impugned notice dated 6.12.2004 as not operative against the petitioners as the respondents have filed O.A 156 of 2001 on the file of Debts Recovery Tribunal for the State of Andhra Pradesh at Hyderabad and transferred and registered as O.A.No.248/02 at Vizag for recovery certificate.

Counsel for the Petitioner: MR.M.JANARDHANA RAO (Not present)

Counsel for the Respondent Nos 1 and 2: MR.NUTY RAM MOHAN RAO S.C for Andhra Bank

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Nobody was present in the pre-lunch session on behalf of the petitioners and nobody has put in appearance even in post-lunch session. It appears that petitioners now are no more interested in prosecuting the petition. Petition dismissed.

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DEVINDER GUPTA, CJ

29-12-2004

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M.NARAYANA REDDY, J

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To

1 The Zonal Manager, Andhra Bank, Koritapadu, Zonal Oflfice, Guntur.
2 The Branch Manager, Andhra Bank, Kothapet Branch, Guntur,

3 2 CD copies.